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**Extracts from Proceedings of the House of Burgesses
of Virginia, 1652-1661.**

[Among the Virginia Manuscripts purchased by Congress with the library of Thomas Jefferson was a volume, covering the period 1642-1662, which is cited by Hening as the "Randolph MS." This was once the property of Sir John Randolph, who probably had it compiled at the time he proposed writing a history of Virginia. It was transmitted to his son, Peyton Randolph, President of Congress, after whose death it was purchased with his library by Jefferson. It was borrowed from the latter by Edmund Randolph, who lent it to Hening. See the Statutes at Large, Vol. I, XXIII, 238, &c. This volume contains the acts passed at the various sessions, and also resolutions, orders, decisions of the General Assembly sitting as a Court of Appeal, &c. The acts, of course, and some of the other proceedings have been printed in *Hening*. The remainder, with a few exceptions, are here given, as copied from the volume still remaining in the Congressional Library. The captions, within brackets, are not, of course, in the original.]

FROM THE "EDMUND RANDOLPH MS."

[PETITION OF JOHN CARTER.]

At the Grand Assembly, James City, April 30, 1652.

"The humble petition of John Carter* Sheweth That whereas y^r petitioner hath been hindred from the seating of a dividnt of Land in Rappahannock River (even untill the pattent is almost void for not seating it.) By an order Extra-judicially granted ag^t y^r Petitioner: And whereas y^r petitioner through great losse by fire is also now disabled to seate the said land so suddenly as the first of September, at which time the pattent is void, the land not being seated, & the Indians also being difficultly removed in soe short a space. Yo^r petitioner therefore humbly

* Colonel John Carter, of Nansemond county, and afterward of "Corotoman," Lancaster county, member of the House of Burgesses and Council, who died June 10, 1669.

desireth that the said pattent be not void for not seating the said Land untill two years after Christmas next, in which time the Indians may remove. Yo'r petitioner paying unto them as great satisfaction as they received of others for such a proportion of land. And so shall yor. Petitioner pray."

This petition is granted—May ye 6, 1652.

JNO. CORKER, Cl. Dom. Com.

ORDER IN SUIT BETWEEN HARDY AND FAWDEN.

Assembly, Nov., 20, 1654.

Orders of Assemblie in private Causes.

It is ordered by this Grand Assembly in the difference between Ma' George Fawden & Capt. George Hardy* that the 3 grants of Ma' Fawdens (the first Cont^s 2400 acres upon the Mayne River, the 2nd Cont. 1050 acres dat: Sept. 15, A^o 1636: the third Cont. 850 acres dat: Oct. 4, 1639) shall have (as of right formerly they had) priority of Capt. Hardyes pattent & that it be referred to an able jury to be impannelled upon oath by the sheriff of the Isle of Wight County, with a surveyor to lay out the said pattenents according to these bounds upon the place & the sheriff to give possession according to their Verdict, and Convenient Time to be appointed by the Sheriffe.

[ORDER IN CASE OF CELY AND SLATER.]

It is ordered that Ma' Thomas Cely shall continue his possession in the land in difference between him & John Slater, who claymeth by a pattent dated Anno. 1653, which was obtained contrary to an act made in A^o 1652, & y^t 800 lbs. of tobacco Costs be allowed the said Cely.

* Captain George Hardy, of Isle of Wight county, member of the House of Burgesses at the sessions of April, 1642; October, 1644; February, 1644-5; November, 1645; October, 1649, and April, 1652. He was ancestor of George Hardy, of Isle of Wight county, who was so distinguished during his short career in the Continental Congress.

Major George Fawden was burgess for Isle of Wight, October, 1646, and July, 1653.

[LEVY TO PAY AN AGENT.]

It is ordered that the Salarye appointed for agency, is by ye severall Sheriffs & Collectors respectively to be paid to Leuth Coll^o Samuel Mathewes* or his Assignes.

[COMMITTEE FOR PRIVATE CAUSES APPOINTED.]

The names of the Committee for the above written private Causes are as followeth:

Coll. Tho. Dew, Lef^t Coll. Robert Pitt, Mr. Wm. Whittbye, Ma^r Peter Walker, Mr. Samuel Stoughton, Mr. William Whittaker, Mr. Henry Soane, Ma^r Abra. Wood, Ma^r Worliech.—November 29, 1654.

Coll. William Clayborne, Coll. William Taylor, Edward Diggs, Esq^r, were added to the Committee.

PUBLICK ORDERS OF ASSEMBLY. [COMMITTEE FOR PRIVATE CAUSES.]

Assembly, March 24, 1655.

This day ye Committee for private Causes was appointed as followeth:

Coll^o Scarborough, Chaireman, Coll. John Sidney, Lieu^t Coll^o Whittaker, Major John Bond, Mr. Tho. Lyggon, Mr. Holmewood, Mr. Anthony Wyatt, Leif^t Collo. Reade, Mr. George Lobb, Mr. Thomas Davis, Mr. Theophilus Hone, Mr. William Thomas—added of the Council, Coll^o Tho. Pettus, Collo. Dew.

[ORDER IN REGARD TO MILITIA.]

Forasmuch as the security of this Countrey is intrusted into ye hands of the Commissioners of the militia for the respective Countyes by vertue of severall orders of Assembly in that behalfe made & p^rvided, It is therefore ordered that the Commissioners of the said Militia for ye Counties aforesaid make diligent search & inquiry of what Ammunition is wanting in their p^rticular Counties & where defects in that case shall be found,

* Samuel Matthews was sent to England as agent for Virginia, to endeavor to obtain a ratification of the articles of surrender.

the said defects to be supplied at the publique charge of ye County & ye said Commissioners to give account thereof to the Assembly.

[THE BOUNDS OF JORDANS.]

It is ordered that the bounds of Jordan's* bounds begin upon Bristol, and so extend downward to Buckar's Creek.

[SALARY OF CAPTAIN JOHN WEST.]

It is ordered that Capt. John West be paid his sallary † (vizt) 10,000 lbs. Tobacco Constantly in York River.

March 17, 1655.—This day Mr. John Page was admitted unto ye house of Burgesses.

March 19, 1655.—This day Coll^o John Flood was admitted into the house.

[COMMITTEE FOR THE LEVY.]

This day the Committee for the Leavie was appointed as followeth:

Major Robert Holt, Chairman, Mr. Joseph Croshaw, Mr. Wright, Mr. Nich. Smith, Capt. Blake, Cap^t Ralph Langley, Mr. Robert Ellyson.

[COMMITTEE ON MARKETS.]

March 20, 1655.—This day ye Committee concerning ye act for Marketts was appointed & Leif^t Coll. Walker, Capt. Fra. Willis, Lt. Coll. Wood, Capt. Luellen.

[THE STATE HOUSE.]

“Ordered that Collo. Francis Morrison take assurance of S^r Wm. Berkeley, Knt., of the middle brick house in James Citty

*The parish of Jordans, in Charles City, now Prince George county.

† Probably Captain West's salary as Muster-Master-General of Virginia, an office to which he was appointed by the King in 1641.

bought of him the said S^r Will^m Berkeley, as also that he give Mr. Tho. Woodhouse Livery & Seizen of the late State house.”

Assembly, March, 1654-5 (probably 30th).

“ In the difference between Richard Nicolas & Coll. Henry Bishop: * It is ordered that Mr. Nicolas shall be possessed & the Tennants remaine paying their future rents to the said Nicholas ye now Proprietor & that Coll^o Bishopp shall pay 2,000 of tobacco Costs.”

Assembly, December, 1656.

Upon the petition of William Hudson concerning a pattent of land that ye said Hudson is at present seated upon, but claimed by Collo. Wm. Clayborne who conceives it his due by a Grant of Assembly, in respect of the said Collo. Clayborne's not being timely enough summoned to provide his answer according to the limitation of the Act. It is ordered upon the desire of the said Collo. Clayborne that the whole business concerninge the title be referred to the next Assembly, and in the interim ye said Hudson to enjoy the land without molestation & the said Collo. Clayborne to take notice of this as a Lawfull summons.

[ORDER IN CASE OF SEABRILL AND BRENT.]

In the business between Nicolas Seabrill † & Cap^t Giles Brent ‡ by consent of both parties it is agreed that an inquest of ye old Neighbours, vizt: Mr. Nicholas Brookes, Ralph Simpkins and Mr. Richard Davies, Should to the best of their knowledge lay forth ye said Lands, and after it is layd out, that the Sherrieff

* Henry Bishop, of Henfield, Sussex, Eng., was in the King's service during the Civil War, but emigrated to Virginia. He carried to England in March, 1646, a letter from the House of Burgesses to Parliament, and is said by Neill (*Va. Carolorum*), not to have returned to Virginia. In 1660 the King appointed him Postmaster General of England, an office he held three years.

† Nicholas Seabrill, of York county, ancestor of the family of the name in Southampton county.

‡ Captain Giles Brent, formerly of Maryland, who settled at Peace Neck, Stafford county.

possess the said Seabrill therewith, And this to be a finall determination of ye business, the said Brent paying Seabrill fifteen hundred pounds of tobacco for Costs & damages, vizt: five hundred pounds of tobo. this year & one thousand pounds of tobo. next year, which is ordered & confirmed accordingly.

[NATURALIZATION OF JOHN CUSTIS.]

Assembly, Mch. 15, 1658.

“Upon the petition of John Custis shewing his English descent, though of foreign birth & craveing this honourable Assembly to restore him to the freedom of his parents. It is ordered accordingly that a Commission of Naturalizacon shall be granted him, he taking the oath of Fidelity to the Government.”

[DENIZATION OF LAMBERT GROOTEN.]

Upon the petition of Lambert Grooten shewing his long residence and Resolution of continuance in this Country craveing therefore a Comission of Denization might be granted him. It is ordered therefore that he takeing his Oath of fidelity to the Government his Commission for Denization shall be granted him.—*P. N.*, 10.

[DENIZATION OF JOHN ABRAHAM AND MINOR DOWDAS.]

John Abraham upon his petition hath obtained like concession & order for his Denizacon.

Minor Dowdas upon his petition hath obtained like Grant & order for his Comission of Denization as abovesaid.—*P. N.*, 12.

[EXPLORING EXPEDITION AUTHORIZED.]

Whereas Major William Lewis pr'ferred a petition to the house therein requesting that a Comission might be granted unto them, Mr. Anthony Langston and Major William Harris, to discover the Mountaines & Westward parts of the Country & to endeavour the finding out of any Commodities that might probably tend to the benefitt of this Country.

“It is ordered for encouragement to them & others that shall

be of the like publique and Generous Spiritts that a Comission shall be granted them to authorize their Undertakeings and all such Gentlemen as shall voluntarily accompany them in the said discoverie."

March the 25, 1658-9 [*sic*].

"The petition of the Inhabitants of the Northside of Charles County* for deviding their County referred to ye Publique Comittee.

"The petition of ye Inhabitants of the Southside of Rappahannock river referred to the Comittee for Publique Affaires."

March 27, 1658.

"Proposed—Whether Fences being but four foot & a halt high should be Esteemed sufficient or else five foot & a halfe.

Resolved, A Fence of four foot & a halfe high is sufficient.

Upon complaint made to the house by ye honourable ye Governour ag^t Captain Francis Willis for departing out of ye Toune contrary to ye Expresse Comand of the honourable the Governor: It is ordered that ye said Cap^t Willis be forthwith sent for by a Warrant from ye Assembly to answer his contempt.

March 29 [In pencil by Hening: "Session of 1657-8"].

About a Re-debate of ye proposition about imposing two shillings upon each hogshead of tobacco Exported, It was resolved, That only one shilling should be imposed on a hhd., And that to be allowed the Govern^r only during the time his Ellection is in our power.

[COMMITTEE ON COUNTY COURTS.]

A Comittee appointed to regulate the Comissioners of the County Courts were these underwritten:

Mr. Warham Horsmanden, Chairman, Capt. William Michell,

*This doubtless refers to Charles City county. The division, however, was not made until 1702, when the south side was formed into Prince George county. Courts were held on both sides of the river. This petition was doubtless in consequence of an order of Assembly, December, 1656, for keeping the court on the south side only.

Mr. Joseph Bridger, Le't-Coll. Edward Carter, Mr. Ierom Ham, Major Wm. Wooldridge, Major Lemuel Mason.

In ye difference debated between Mr. Joseph Bridger, Burgesse of the lower p'ish* of the Isle of Wight County & the rest of the Burgesses of the said County, Whether there should be two Courts & two Countyes, or two Courts & one County. It was Resolved & ordered accordingly, That they should continue one County & keep Courts in two places as formerly."

[ORDER IN CASE OF LEAR VS. STREETER.]

April the First, 1658.

Whereas it appeareth by the report of the Comittee grounded upon an order of the Govern' & Councell of ye 11th of December, 1656, that there was accepted by John Leare a portion given by Mistresse Streeter, the said Leare's wife's mother, in lieu of the estate due to her the said Leare's wife from the estate of Mr. Thos. Oldis, dec'd, And that in relation thereto Capt. Edw^a Streeter, who married ye Executrex of ye said Oldis had made a delivery of severall the Goods & Chattells, by his wife to ye said Leare's wife in consideration of her Father's Legacy formerly demised, And finding yet due from the said Streeter to compleat & make up ye said porcon given in Lieu of the Legacy aforesaid, Eight neat Cattle, one thousand acres of Land, one Negro man called Abraham, It is therefore ordered: That ye said Capt. Streeter forthwith make delivery of the premisses, And make as good assurance of the Land as by law he may or can, unto ye said Leare or assigns, with six hundred pounds of tobacco damages & costs of suite als Execution.

[DENIZATION OF ALIENS.]

Whereas by act of Assembly held at James Citty in March now past, It is enacted, That all Aliens & Strangers which have inhabitted this Country foure yeares & are firmly resolved to make this Country the place of their constant Resi-

* This is one of several instances which show that in the larger counties, the parishes were represented in the House of Burgesses. In 1657-8, Isle of Wight had four burgesses. See *Hening*, I, 545.

dence, should be free Denizens of this Collony & thereby be invested with all priviledges they are in any way capable of.

[DENIZATION OF WILLIAM WESTERHOUSE.]

This Grand Assembly upon the petition of William Westerhouse, a Dutchman, have hereby declared, approved and made the said Westerhouse a Free Denizen of Virginia, giving thereby & granting unto ye said Westerhouse full power and priviledge to purchase, hold & dispose of Lands. To trade & traffique & all other lawⁿ priviledges & Imunities to be invested with & enjoy, in as full & ample manner to all intents & purposes as if he had been an Englishman borne (The bearing of publique offices & employments Exempted), with which Denizacon his Children also may be invested with, Allwaies provided that in the County Court where he or they do or shall reside, he and they shall take an oath of Fidelity to the government of this Country, which oath is to be administered by the Comⁿ of the said County Court & there to be Recorded.

[DENIZATION OF GEORGE HACKE.]

Denization issued in the forme above specified to George Hacke,* Chirurgeon, being a German borne, now resident in the County of North'ton.

[NATURALIZATION OF WILLIAM AND JOHN CUSTIS.]

Comission for Naturalizacon issued out to Mr. William & John Custis † in the forme above, onely they & their issue are capeable of bearing office, they being borne of English parents.

[DENIZATION OF DOWDAS, GROOTEN AND ABRAHAM.]

Lambert Grooten, of Accomack, Minor Dowdas, of ye Isle of Wight County, and John Abraham, of —, Dutchmen, had Comission of Denizacon granted them as above.

* Dr. George Hacke, a native of Cologne, Germany. See this Magazine, V, 256, &c.

† Sons of John Custis, of Rotterdam, formerly of Baltimore, Ireland.

[ORDER IN CASE OF TROTTE VS. BUSHROD.]

Whereas at a Quarter Court held at James Citty the 13th of October, 1656, Nicholas Trotte obtained order ag^t Thomas Bushrod for present paym^t three thousand two hundred twenty-fower pounds of tobacco and Caske, from which the said Bushrod appealed to ye Assembly, exhibiting in his petition to them that he had tendred tobacco to the said Trotte for satisfaction of the said order, & all other bills due (as the said order of Court was), out of his own Crop; But it appearing upon full Examination of the business, That ye tobacco was never legally tendred nor ye Viewers legally qualified, nor that they were all present at one time, nor that any notice was given of it to Mr. Trotte, nor that all the Viewers make a report of the tobacco being good. And Further the said Bushrod not makeing his tender untill the shipping neare gone * * * Assembly have therefore ordered That * * * Tobacco the said Bushrod do make present payment of the sum of 3,224 lbs. of principall, well conditioned, sweet sented Tobacco, according to Act of Assembly & Caske out of his own Crop, made at his own plantation he dwells upon called Essex Lodge, The said Tobacco being purchased by the said Trotte at four pence per pound, And likewise that the said Bushrod pay unto the said Trotte Thirty-five pound Sterling in tobacco, qualified according to Act at three halfe pence ~~ph~~ lb., And three hundred pound of Tobacco for Charge & Damages with Costs of suit als Execution.

[ORDER IN CASE OF INHABITANTS OF STANLEY HUNDRED
VS. HARLOWE.]

The suit Between Lef^t Coll^r Miles Cary & Mr. John Brewer in behalfe of the Inhabitants of Stanly hundred,* plaintiffs & Mr. John Harlowe, Defend^t, in respect of the preter judicall bringing y^e said suite before ye Assembly & the said Harlowe never sumoned, is dismissed."

* This suit was in regard to fifty acres of common, granted to Stanly Hundred in 1631. See *Hening*, I, 548, and also Mr. Eggleston's recent work "The Transit of Civilization from England to America."

[ORDER IN REGARD TO COLONEL HAMMOND, AGENT OF THE
COLONY.]

Assembly, March, 1660-61.

“In regard that Collonel Manwaring Hammond doth not proceed on his voyage by reason of ye Governors Comands imposed on him to the contrary, It is ordered, That ye Tobacco allreadie paid shall remain to his use, But that ye order for the Eleaven thousand pounds next yeare be Repealed & made void.

[ORDER FOR RELIEF OF WILLIAM IRONDALL.]

Whereas, William Irondall haveing long endeavoured by his Industry to procure a Subsistence & being Embarqued with ye p'duce of his Labour for England, was (After much p'sonall Valour, shewed in resistance & losse of his right Arme) taken in ye fight by the Spanyards, And being now returned & addressing himselfe to this house for Relief, They have out of Their Charity thought fitt to Allowe in ye Publique Levy Annually one thousand pounds of Tobacco & Exempcon from Leavys during Life.

[ORDER FOR RELIEF OF GRACE POWELL.]

Whereas Grace Powell hath complained y^t severall of her husband's creditors have contrary to ye intent of Assemblies Charity, who after ye Death of her husband in ye Countries service against the Indians gave her for her support certaine Tobaccoes in ye Leavy of Yorke & New Kent, taken & deteined from her und'r p'tence of debts due from her husband all ye said Tobacco so charitably given, It is ordered, that ye Collectors of ye said Tobacco Either deteining it or paying it without her order make repaym't of ye same with costs.

[ORDER FOR RELIEF OF BRIDGET HOOKER.]

Ordered that Bridgett Hooker in regard to her great age & the service done by her husband to ye Publique be annually allowed out of ye Publique Leavie one thousand pounds of Tobacco.

[ORDER IN CASE OF LANGSDALE VS. BENNETT.]

The difference between Mr. Bennett & Mr. Langsdale touching certain troubles, Molestacons & damages susteined by ye said Master Langsdale by Mr. Bennett's means in ye time of his power,* It is ordered, that ye Cause is Suspended till ye Right Hon'ble S^r Wm. Berkeley shall signify his Majesties further pleasure, the costs be not awarded before judgement be passed upon ye Issue.

[DENIZATION OF GEORGE HACKE AND FAMILY.]

Whereas George Hacke had formerly a Commission of denizacon granted him in the year Sixteen hundred fifty-eight, And hath petitioned in behalfe of himselfe, his Brother & Children y^t the same might be renewed to him & Conferred on Them. The Grand Assembly hath thought fitt to grant Confirmation thereof on his & their takeing ye oathes of Allegience & Sup'macie.

[ORDER IN REGARD TO REDUCING THE COUNTRY'S DEBT.]

Ordered, That in case Burleigh's & Stanton Ship come in and there be any Surplusage of ye two shillings after ye Debts of ye Countrey are satisfied, that ye said Surplusage shall be converted to ye purchasing of some of the Countrey Tobacco debts now layd & Lightning ye Leavie.

*"In the time of his power," refers to the period when Richard Bennett was governor.